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CENTRAL FAX CENTER****AUG 15 2006****REMARKS****Rejection of Claims 1-7, 11, 12 under 35 U.S.C. §102(e)**

The Office Action rejected claims 1-7, 11, and 12 under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,826,538 (Kalyan et al). In this reply, independent claims 1, 8, 11 and 13 are being amended to clarify the language of the claims.

As understood by applicant, Kalyan et al. discloses a method of calculating supplies of key components based on enhancing revenues in a made to order scheme. Kalyan et al., however, does not disclose or suggest every element claimed in independent claims 1 and 11. For instance, Kalyan et al. fails to disclose or suggest at least "mapping said trend changes associated with trend data for a deliverable end-user product and trend data for a component used in said deliverable end-user product for each period to said elements in said data structure" as claimed in independent claims 1 and 11. The Office Action cites col. 8, lines 41-42 and figure 4 of Kalyan et al. as allegedly disclosing that element. That section of Kalyan et al., however, appears to disclose minimum acceptable values (MAV) of components as a function of the supply of a critical component. That section does not disclose or suggest mapping of "trend changes associated with trend data for a deliverable end-user product and trend data for a component used in said deliverable end-user product" as claimed in claims 1 and 11. In the present application, an example of such mapping is shown in Figure 2.

Therefore, at least for the foregoing reason, it is respectfully submitted that Kalyan et al. does not disclosure or suggest the subject matter recited in independent claims 1 and 11. Claims 2-7 and 12, which depend directly or indirectly from independent claims 1 and 11, incorporate all of

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the limitations of the corresponding independent claim and are therefore not anticipated by Kalyan et al. for at least those reasons provided for claims 1 and 11.

While the above reason suffices to distinguish claims 2 and 12 over Kalyan et al., applicant also believes that Kalyan et al. fails to disclose or suggest “a matrix for characterizing relationships between ASP trends of deliverables and ASP trends of components, one or more elements of said matrix characterizing at least one of said deliverable and component ASP trends as being equal to or above a base level between successive time intervals” as claimed in claim 2 and 12. Again, the Office Action cites col. 8, lines 41-42 and figure 4 of Kalyan et al. as allegedly disclosing that element. To reiterate, however, that section of Kalyan et al. at most appears to show a MAV curve as a function of the supply of a critical component. MAV as defined in Kalyan et al. is a minimum acceptable value for a component. Therefore, contrary to the office action, that section does not show a matrix for characterizing relationship between ASP trends of deliverables and ASP trends of components. Accordingly, at least for this additional reason, applicant believes claims 2 and 12 and their dependent claims are further distinguishable from Kalyan et al.

With respect to claim 4, while claim 4 is also believed to be novel over Kalyan et al. for at least the above reasons, claim 4 is further distinguishable because Kalyan et al. does not disclose or suggest “one or more elements of said matrix characterizes at least one of said deliverable and component ASP trends as being below a base level while remaining flat, increasing or decreasing between successive time intervals” as claimed in claim 4. The Office action cites col. 7, lines 13-19 of Kalyan et al. as allegedly disclosing that element. That section explicitly states, “Calculated component values can be the basis of a variety of pricing decisions. For example, a component that has a 0 component value indicates an oversupply of the component or a lack of demand – two sides of the same coin since oversupply is with respect to demand only. If all components have 0

component values that means there are no critical components.” That section or anywhere else in Kalyan et al. does not disclose or suggest “one or more elements of said matrix” that “characterizes at least one of said deliverable and component ASP trends as being below a base level while remaining flat, increasing or decreasing between successive time intervals.” In the present application, an example of such matrix is shown in Figure 2. An example of a matrix element that characterizes both deliverable and component ASP trends as being below a base level while remaining flat is shown at 24. An example of a matrix element that characterizes both deliverable and component ASP trends as being below a base level while declining is shown at 26. To reiterate, Kalyan et al. does not disclose or suggest one or more matrix elements as claimed in claim 4. Accordingly, for at least this additional reason, applicant believes that claim 4 is further distinguishable from Kalyan et al.

Rejection of Claims 8-10, and 13 under 35 U.S.C. §103(a)

The Office Action rejected claims 8-10 and 13 as allegedly being unpatentable over Kalyan et al. in view of U.S. Patent No. 5,459,656 (“Fields et al.”). Similar to independent claims 1 and 11 as discussed above, independent claims 8 and 13 recite “mapping said actual ASP trend data for said deliverable and component to a corresponding element in said data structure.” Kalyan et al. as discussed above, does not disclose or suggest at least this element. Therefore, the same reasoning given above applies to claims 8 and 13 in distinguishing those claims from Kalyan et al. In addition, Fields et al. fails to disclose or suggest what Kalyan et al. lacks. Accordingly, for at least the same reason proffered above for claims 1 and 11, applicant also believes claims 8 and 13 and their dependent claims by virtue of their dependencies are not obvious over Kalyan et al. and Fields et al.

This communication is believed to be fully responsive to the Office Action and every effort has been made to place the application in condition for allowance. A favorable Office Action is hereby earnestly solicited. If the Examiner believes a telephone conference might expedite prosecution of this case, it is respectfully requested that he call applicant's attorney at (516) 742-4343.

Respectfully submitted,



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